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Attorneys for Defendants SAN BERNARDINO SHERIFF'S DEPARTMENT,  
VICTORVILLE POLICE DEPARTMENT, THOMAS BECHTOL, JONATHAN  
CAHOW, CLAYTON BRANDT, STUART CULLUM, and STARSUN FINCEL

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JASPER O. CROOK,

Claimant,

vs.

SAN BERNARDINO COUNTY SHERIFF'S  
DEPARTMENT; VICTORVILLE POLICE  
DEPARTMENT; THOMAS BECHTOL,  
individually and in his official  
capacity; JONATHAN CAHOW, individually  
and in his official capacity; CLAYTON  
BRANDT, individually and in his official  
capacity; STUART CULLUM, individually  
and in his official capacity; STARSUN  
FINCEL, individually and in his official  
capacity; and DOES 1-10 inclusive, in  
their individual and official capacities,

Defendants.

) Case No.: 5:23-cv-02448-JVS-AS

) **COUNTY DEFENDANTS'**  
) **REQUEST FOR JUDICIAL**  
) **NOTICE IN SUPPORT OF**  
) **THEIR MOTION FOR**  
) **SUMMARY JUDGMENT OR, IN**  
) **THE ALTERNATIVE, PARTIAL**  
) **SUMMARY JUDGMENT**

) **Date:** No date is set per Court's  
) Scheduling Order (Dkt. No. 22).

) *[Motion for Summary*  
) *Judgment/Partial Summary*  
) *Judgment; Separate Statement;*  
) *Declaration of Aamir Raza with*  
) *Exhibits; Notice of Manual Filing*  
) *and [Proposed] Judgment submitted*  
) *concurrently herewith]*

) **Matter for Determination Before**  
) **the Honorable Magistrate Alka**  
) **Sagar**

1 TO THE HONORABLE COURT AND PRO SE PLAINTIFF:

2 PLEASE TAKE NOTICE that pursuant to Rule 201 of the Federal Rules of  
3 Evidence, Defendants SAN BERNARDINO COUNTY SHERIFF'S  
4 DEPARTMENT, VICTORVILLE POLICE DEPARTMENT, T. BECHTOL,  
5 JONATHAN CAHOW, CLAYTON BRANDT, STUART CULLUM, and  
6 STARSUN FINCEL (collectively "County Defendants") respectfully request the  
7 Court take judicial notice of the following facts in support of their Motion for  
8 Summary Judgment, or in the alternative, Motion for Partial Summary Judgment  
9 ("County MSJ"):

10 1. On October 26, 2021, a Temporary Restraining Order ("TRO") was  
11 issued against Jasper Crook by the Superior Court of California, County of San  
12 Bernardino to protect Tanya Newell of Victor Elementary School District. The TRO  
13 prohibited Mr. Crook from owning or possessing firearms or ammunition. Mr.  
14 Crook had 48 hours to file a receipt with the court to prove he turned in, sold, or  
15 stored these prohibited items. TRO p. 3. Attached hereto as Exhibit "A" is a true and  
16 correct copy of the TRO. Plaintiff attaches as Exhibit 5 to his motion for summary  
17 judgment ("Plaintiff's MSJ"), only the first page of the TRO, omitting the following  
18 six pages of the TRO.<sup>1</sup>

19 2. On November 15, 2021 and November 16, 2021, the Superior Court of  
20 California, County of San Bernardino held hearings on a Workplace Violence  
21 Restraining Order requested by Victor Elementary School District. The court issued  
22 a final protective order ("Final Order") against Jasper Crook to protect Tanya  
23 Newell of Victor Elementary School District. The Final Order also prohibited Mr.

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24  
25 <sup>1</sup> The County Defendants have previously submitted a substantively identical  
26 Request for Judicial Notice in connection with their Opposition to Plaintiff's MSJ  
27 (Dkt. No. 43.) The County Defendants apologize for the duplicative filing;  
28 however, they are doing so for ease of reference for the pro se Plaintiff and so that  
the County MSJ is complete in and of itself. The documents produced here were  
previously provided to Plaintiff in the County Defendants discovery responses.

1 Crook from owning or possessing firearms or ammunition. Mr. Crook had 48 hours  
2 to file a receipt with the court to prove he turned in, sold, or stored these prohibited  
3 items. Final Order p. 3. Attached hereto as Exhibit “B” is a true and correct copy of  
4 the Final Order. Plaintiff attaches as his Exhibit 6 to Plaintiff’s MSJ, only the second  
5 page of the Final Order, omitting the other six pages of the TRO.

6 3. On November 21, 2023, this Court (the United States District Court -  
7 Central District of California) in Central District Case Number 5:22-cv-00010-JVS-  
8 SP, entitled *Rachel M. Crook v. San Bernardino Sheriff’s Department, Thomas*  
9 *Bechtol, Jonathan Cahow, Clayton Brandt, Stuart Cullum, and Starsun Fincel*  
10 (Crook #1) entered judgment in favor of these same defendants (based on this same  
11 search being consensual). True and correct copies of the Report and  
12 Recommendation (Dkt. No. 142 in Crook #1), Order Accepting Report and  
13 Recommendation (Dkt. No. 150 in Crook #1), Judgment in Favor of Defendants  
14 (Dkt. No. 151 in Crook #1) and the operative First Amended Complaint (Dkt. No.  
15 50 in Crook #1) are collectively attached as Exhibit “C” hereto.

16 4. In Crook #1, Plaintiff Jasper Crook filed a declaration regarding the  
17 search in question here, asserting the same position as he takes here (i.e. that the  
18 search was not consensual). Attached hereto as Exhibit “H” is a true and correct  
19 copy of a declaration submitted by Plaintiff Jasper Crook in Crook #1.<sup>2</sup> Exhibit C  
20 above contains the Court’s determination that, despite Mr. Crook’s contention  
21 otherwise, the undisputed audio of the incident established that he consented to the  
22 search.

23 Under Rule 201 of the Federal Rules of Evidence, the Court may take judicial  
24 notice of any matter “not subject to reasonable dispute in that it is either (1)  
25 generally known within the territorial jurisdiction of the trial court or (2) capable of  
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27 <sup>2</sup> For the sake of consistency, the County Defendants have kept the exhibit  
28 numbering and lettering the same as in the briefing on Plaintiff’s MSJ. Exhibits D-  
G and I are attached to the Declaration of Aamir Raza, filed concurrently herewith.

1 accurate and ready determination by resort to sources who accuracy cannot  
2 reasonably be questioned.” Fed. R. Evid. 201(b). Judicial notice of court records is  
3 proper. *Kourtis v. Cameron*, 419 F.3d 989, 995, n.3 (9th Cir. 2004), *abrogated on*  
4 *another point by Taylor v. Sturgell*, 553 U.S. 880 (2008); *United States v. Howard*,  
5 381 F.3d 873, 876, n.1 (9th Cir. 2004); *Mir v. Little Co. of Mary Hosp.*, 844 F.2d  
6 646, 649 (9th Cir. 1988). Judgments, complaints and other publicly filed  
7 documents, are proper subjects of judicial notice. *Romero v. HP, Inc.*, 2017 WL  
8 386237, \*4 (N.D. Cal. 2017) (taking judicial notice of filings in other litigation);  
9 *Rotham v. Gregor*, 220 F.3d 81, 92 (2d Cir. 2000) (judicial notice of complaint).

10 Here, good cause exists for admission of these Exhibits as matters of public  
11 record officially maintained by the San Bernardino County Superior Court (Exhibits  
12 A and B) and of this Court (Exhibits C and H), and, therefore, capable of accurate  
13 and ready determination.

14 Respectfully submitted,

15 LAWRENCE BEACH ALLEN & CHOI, PC  
16

17 Dated: February 6, 2025

By /s/ Aamir Raza

18 CHRISTINA M. SPRENGER

19 AAMIR RAZA

20 Attorneys for Defendants

21 SAN BERNARDINO SHERIFF’S

22 DEPARTMENT, THOMAS BECHTOL,

23 JONATHAN CAHOW, CLAYTON

24 BRANDT, STUART CULLUM, and

25 STARSUN FINCEL  
26  
27  
28

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Aamir Raza, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 959 South Coast Drive, Suite 260, Costa Mesa, California 92626.

On February 6, 2025, I served the **COUNTY DEFENDANTS' REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT** on the interested parties in this action by causing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Jasper O. Crook  
19004 Sheffield Street  
Hesperia, California 92345  
*Claimant in Pro Se*

X BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 6, 2025, at Pasadena, California.



Declarant<sup>3</sup>

<sup>3</sup> As required, the above-referenced document is accompanied by an unsigned affidavit of service, to be signed by the Declarant following service. The method of service and date of service listed herein are to be used in calculating dates triggered by service of this document. The Declarant will maintain the signed original of this affidavit and will submit it to the Court if appropriate.